UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,971	09/26/2005	Jean Monne	P1938US	4133

8968   7590   08/21/2009
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EXAMINER
SKED, MATTHEW J

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
08/21/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/550,971	MONNE ET AL.
Office Action Summary	Examiner	Art Unit	
	MATTHEW J. SKED	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-14 and 16-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) *1-13* is/are allowed.

6) ☒ Claim(s) *14 and 16-19* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   The objection to the specification is withdrawn in view of Applicant's arguments filed 06/01/09.

2.   The rejection of claims 7, 8 and 14 under 35 USC 112 is withdrawn in view of the amendment filed 06/01/09.

3.   Applicant's arguments, in view of the amendment filed 06/01/09, with respect to claims 1 and 9 have been fully considered and are persuasive. The rejection of claims 1-13 has been withdrawn.

4.   Applicant's arguments, in regard to claim 14, filed 06/01/09 have been fully considered but they are not persuasive. Applicant argues that Reding et al. (U.S. Pat. 6,823,306) does not teach "select a signal at least the audio signal to be recognized and a signal indicating the modeling parameters, as a function of criteria." However, claim 14 does not contain language that there is a selection and this selection is based upon criteria. Instead claim 14, includes language of previous claim 15 regarding determining if to perform a parameter calculation based upon the type of signal received by the server. As detailed in the Office Action mailed 03/06/09, Redding teaches that the server determines if feature extraction needs to be performed prior to speech recognition based upon the received signal (col. 13, line 63 to col. 14, line 12). The new rejection is given below necessitated by amendment.

5.   Claim 15 is canceled.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   Claims 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Reding et

al. (U.S. Pat. 6,823,306).

        As per claim 14, Reding teaches a server adapted for implementing a distributed

speech recognition method cooperating with a user terminal comprising:

        means for receiving a signal coming from a user terminal and selected at said

terminal; and recognition means for associating at least one stored form with modeling

parameters at the input (speech processing facility receives speech and performs

speech recognition operations thereon, col. 6, line 58 to col. 7, line 4);

        means for calculating modeling parameters for an input signal; control means for

controlling the calculation means and the recognition means such that:

        • when the signal received by the reception means is of the audio type, the

parameter calculation means are activated by addressing the selected signal to them as

input signal, and the parameters calculated by the calculation means are addressed to

the recognition means as input parameters (if speech is received then feature extraction

is performed, col. 13, line 63 to col. 14, line 4); and

• when the selected signal received by the reception means indicates modeling parameters, said indicated parameters are addressed to the recognition means as input parameters (speech recognition of extracted features, col. 14, lines 5-12).

8.   As per claim 16, Reding teaches means for detecting activity in order to produce the signal to be recognized in the form of speech segments extracted from an original audio signal outside of periods without voice activity and in which the control means are designed to control the parameter calculation means (monitors for input speech, col. 11, lines 27-33) and the recognition means when the received signal is of the audio type such that:

if the received signal of the audio type is in the form of speech segments after voice activation detection, the parameter calculation means are activated by addressing the received signal to them as input signal, then the parameters calculated by the parameter calculation means are addressed to the recognition means as input parameters; otherwise, the server voice activation detection means are activated by addressing the received signal to them as input signal, then the segments extracted by the voice activation detection means are addressed to the parameter calculation means as input parameters, then the parameters calculated by the parameter calculation means are addressed to the recognition means as input parameters (features of the detected speech are extracted at the server, col. 13, line 63 to col. 14, line 4).

9.   As per claim 17, Reding teaches means for downloading voice recognition software resources via the telecommunications network onto a terminal (model training performed on server and updated to user terminal, Fig. 7).

10.   As per claim 18, Reding teaches wherein said resources comprise at least one module from amongst: a VAD module, a module for calculating modeling parameters for an audio signal and a recognition module for associating at least one stored form with modeling parameters (feature extractor and speech recognition, Fig. 10).

11.   As per claim 19, Reding teaches means for determining the stored form to be chosen between the stored forms determined at the terminal and at the server, respectively (determines if to perform speech recognition at terminal or server, col. 11, lines 34-48).

Allowable Subject Matter

12.   Claims 1-13 are allowed.

13.   The following is a statement of reasons for the indication of allowable subject matter: None of the prior art on record teaches in a distributed speech recognition method wherein at the user terminal a signal is selected from at least the audio to be recognized and a signal indicating the modeling parameters, as a function of criteria relating to loading issues of the various processing means at the level of the terminal and of the server, and/or as a function of criteria relating to the availability of voice or data transmission channels and sending the selected signal to the server. It would not have been obvious to one of ordinary skill in the art at the time of invention to modify the prior art on record to arrive at Applicant's invention.

Conclusion

14.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yamada et al. (U.S. Pat Pub. 2004/0162731A1) teaches a distributed speech recognition system where the server determines if to extract features prior to recognition based upon the incoming signal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW J. SKED whose telephone number is (571)272-7627. The examiner can normally be reached on Mon-Fri (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew J Sked/
Primary Examiner, Art Unit 2626